

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

CARBON FIBERS FORMED FROM SINGLE-WALL CARBON NANOTUBES

the specification of which:



is attached hereto.



was filed on:

September 3, 1999

as Application No.:

09/380,545

and was amended on

_____ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>

Prior Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/040,152	03/07/97
60/055,037	08/08/97
60/063,675	10/29/97
60/064,531	11/05/97
60/067,325	12/05/97
60/047,854	05/29/97

Prior United States Application(s)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
08/687,665	07/26/96	Pending

And I hereby appoint, both jointly and severally, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

Rodger L. Tate, Registration No. 27,399; Scott F. Partridge, Registration No. 28,142; Jerry W. Mills, Registration No. 23,005; Robert Neuner, Registration No. 24,316; James Remenick, Registration No. 36,902; James B. Arpin, Registration No. 33,470; Laurence H. Posorske, Registration No. 34,698; Floyd B. Chapman, Registration No. 40,555; Robert A. King, Registration No. 42,738; William F. Nixon, Registration No. 44,262; Andrew D. Skale, Registration No. 44,338; Robert L. Troike, Registration No. 24,183; Jay M. Cantor, Registration No. 19,906; and Jay B. Johnson, Registration No. 38,193.

All correspondence and telephone communications should be addressed to: Laurence H. Posorske, Esq., Baker & Botts, L.L.P., The Warner, 1299 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2400, telephone number (202) 639-7700, facsimile number (202) 639-7890, which is also the address, telephone and facsimile numbers of each of the above listed attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature



Date

Nov 7, 1998

Full Name of
First Inventor:

SMALLEY
(Family Name)

Richard
(First Given Name)

E.
(Second Given Name)

Citizenship:

USA

Residence:

1816 Bolsover, Houston, TX 77005

Post Office

Address:

Same as Above

Signature

[Handwritten Signature]

Date 11-4-99

Full Name of

Second Inventor:

COLBERT
(Family Name)

Daniel
(First Given Name)

T.
(Second Given Name)

Citizenship:

USA

Residence:

1911 Milford Street, Houston, TX 77098

Post Office

Address:

Same as above

Signature

Date

Full Name of

Third Inventor:

DAI
(Family Name)

Hongjie
(First Given Name)

(Second Given Name)

Citizenship:

CHINA

Residence:

365 Pescadero Terrace, Sunnyvale, CA 94086

Post Office

Address:

Same as above

Signature

Date

Full Name of

Fourth Inventor:

LIU
(Family Name)

Jie
(First Given Name)

(Second Given Name)

Citizenship:

CHINA

Residence:

5825 Gulfon #3214, Houston, TX 77081

Post Office

Address:

Same as above

Signature

Date

Full Name of

Fifth Inventor:

RINZLER
(Family Name)

Andrew
(First Given Name)

G.
(Second Given Name)

Citizenship:

USA

Residence:

6666 Chetwood, Apartment 171, Houston, TX 77081

Post Office

Address:

Same as above

Signature

Date

Full Name of

Sixth Inventor:

HAFNER
(Family Name)

Jason
(First Given Name)

H.
(Second Given Name)

Citizenship:

USA

Signature

Daniel Colbert

Date 11-4-99

Full Name of

Second Inventor: COLBERT
(Family Name)

Daniel
(First Given Name)

T.
(Second Given Name)

Citizenship: USA

Residence: 1911 Milford Street, Houston, TX 77098

Post Office

Address: Same as above

Signature

Hongjie Dai

Date 11/17/99

Full Name of

Third Inventor: DAI
(Family Name)

Hongjie
(First Given Name)

(Second Given Name)

Citizenship: CHINA

Residence: 365 Pescadero Terrace, Sunnyvale, CA 94086

Post Office

Address: Same as above

Signature

Date

Full Name of

Fourth Inventor: LIU
(Family Name)

Jie
(First Given Name)

(Second Given Name)

Citizenship: CHINA

Residence: 5825 Gulfton #3214, Houston, TX 77081

Post Office

Address: Same as above

Signature

Date

Full Name of

Fifth Inventor: RINZLER
(Family Name)

Andrew
(First Given Name)

G.
(Second Given Name)

Citizenship: USA

Residence: 6666 Chetwood, Apartment 171, Houston, TX 77081

Post Office

Address: Same as above

Signature

Date

Full Name of

Sixth Inventor: HAFNER
(Family Name)

Jason
(First Given Name)

H.
(Second Given Name)

Citizenship: USA

Signature

Date 11-4-99

Full Name of

Second Inventor: COLBERT
(Family Name)

Daniel
(First Given Name)

T.
(Second Given Name)

Citizenship: USA

Residence: 1911 Milford Street, Houston, TX 77098

Post Office

Address: Same as above

Signature

Date

Full Name of

Third Inventor: DAI
(Family Name)

Hongjie
(First Given Name)

(Second Given Name)

Citizenship: CHINA

Residence: 365 Pescadero Terrace, Sunnyvale, CA 94086

Post Office

Address: Same as above

Signature

Date

11/15/1999

Full Name of

Fourth Inventor: LIU
(Family Name)

Jie
(First Given Name)

(Second Given Name)

Citizenship: CHINA

Residence: 5825 Gulfon #3214, Houston, TX 77081

Post Office

Address: Same as above

Signature

Date

Full Name of

Fifth Inventor: RINZLER
(Family Name)

Andrew
(First Given Name)

G.
(Second Given Name)

Citizenship: USA

Residence: 6666 Chetwood, Apartment 171, Houston, TX 77081

Post Office

Address: Same as above

Signature

Date

Full Name of

Sixth Inventor: HAFNER
(Family Name)

Jason
(First Given Name)

H.
(Second Given Name)

Citizenship: USA

Signature _____ Date _____

Full Name of
Second Inventor: COLBERT Daniel T.
(Family Name) (First Given Name) (Second Given Name)

Citizenship: USA

Residence: 1911 Milford Street, Houston, TX 77098

Post Office
Address: Same as above

Signature _____ Date _____

Full Name of
Third Inventor: DAI Hongjie
(Family Name) (First Given Name) (Second Given Name)

Citizenship: CHINA

Residence: 365 Pescadero Terrace, Sunnyvale, CA 94086

Post Office
Address: Same as above

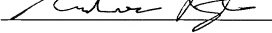
Signature _____ Date _____

Full Name of
Fourth Inventor: LIU Jie
(Family Name) (First Given Name) (Second Given Name)

Citizenship: CHINA

Residence: 5825 Gulfton #3214, Houston, TX 77081

Post Office
Address: Same as above

Signature  Date 11/27/99

Full Name of
Fifth Inventor: RINZLER Andrew G.
(Family Name) (First Given Name) (Second Given Name)

Citizenship: USA

Residence: 1713 S.W. 186th Street, Newberry, FL 32669

Post Office
Address: Same as above

Signature _____ Date _____

Full Name of
Sixth Inventor: HAFNER Jason H.
(Family Name) (First Given Name) (Second Given Name)

Citizenship: USA

Signature



Date

11-4-99

Full Name of

Second Inventor:

COLBERT

(Family Name)

Daniel

(First Given Name)

T.

(Second Given Name)

Citizenship:

USA

Residence:

1911 Milford Street, Houston, TX 77098

Post Office

Address:

Same as above

Signature

Date

Full Name of

Third Inventor:

DAI

(Family Name)

Hongjie

(First Given Name)

(Second Given Name)

Citizenship:

CHINA

Residence:

365 Pescadero Terrace, Sunnyvale, CA 94086

Post Office

Address:

Same as above

Signature

Date

Full Name of

Fourth Inventor:

LIU

(Family Name)

Jie

(First Given Name)

(Second Given Name)

Citizenship:

CHINA

Residence:

5825 Gulfon #3214, Houston, TX 77081

Post Office

Address:

Same as above

Signature

Date

Full Name of

Fifth Inventor:

RINZLER

(Family Name)

Andrew

(First Given Name)

G.

(Second Given Name)

Citizenship:

USA

Residence:

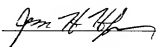
6666 Chetwood, Apartment 171, Houston, TX 77081

Post Office

Address:

Same as above

Signature



Date

11-18-99

Full Name of

Sixth Inventor:

HAFNER

(Family Name)

Jason

(First Given Name)

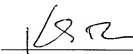
H.

(Second Given Name)

Citizenship:

USA

Residence: 373 Highland Avenue, No. 203, Somerville, MA 02144
 Post Office Address: Same as above

Signature  Date 11.4.99

Full Name of Seventh Inventor: SMITH Ken
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: USA
 Residence: 17431 Fairway Oaks, Spring, TX 77379
 Post Office Address: P.O. Box 11049, Spring, TX 77391-1049

Signature  Date

Full Name of Eighth Inventor: GUO Ting
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: CHINA
 Residence: 8176 Caminito Sonoma, La Jolla, CA 92037
 Post Office Address: Same as above

Signature  Date 11.8.99

Full Name of Ninth Inventor: NIKOLAEV Pavel
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: RUSSIA
 Residence: 2232 1/2 Troon, Houston, TX 77019
 Post Office Address: Same as above

Signature _____ Date _____

Full Name of Tenth Inventor: THESS Andreas
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: GERMANY
 Residence: Max-Planck-Institut Fur Biochemie, Abteilung Molekulare, Strukturbilogie am Klopferspitz 189, D-82152 Martinsried, Germany
 Post Office Address: Same as above

12/20/99 07:15

EE: 16 1999 16:25 PP EWE E S EOTTS

TO 020928023760875H P.05-08

Attorney Docket No. 002376.0875

Residence: 373 Highland Avenue, No. 203, Somerville, MA 02144

Post Office

Address: Same as above

Signature

Date

Full Name of

Seventh Inventor: SMITH
(Family Name)

Ken
(First Given Name)

(Second Given Name)

Citizenship: USA

Residence: 17431 Fairway Oaks, Spring, TX 77379

Post Office

Address: P O Box 11049, Spring, TX 77391-1049

Signature

Date

Full Name of
Eighth Inventor

GUO
(Family Name)

Ting
(First Given Name)

(Second Given Name)

Citizenship: CHINA

Residence: 8176 Caminito Sonoma, La Jolla, CA 92037

(2612 Calder Court)
Davis, CA 95616
Current Address

Post Office

Address: Same as above

Signature

Date

Full Name of
Ninth Inventor:

NIKOLAEV
(Family Name)

Pavel
(First Given Name)

(Second Given Name)

Citizenship: RUSSIA

Residence: 2232 1/2 Troon, Houston, TX 77019

Post Office

Address: Same as above

Signature

Date

Full Name of
Tenth Inventor:

THESS
(Family Name)

Andreas
(First Given Name)

(Second Given Name)

Citizenship: GERMANY

Residence: Max-Planck-Institut Fur Biochemie, Abteilung Molekulare,
Strukturbioogie am Klopferspitz 189, D-82152 Martinsried, Germany

Post Office

Address: Same as above

Residence: 373 Highland Avenue, No. 203, Somerville, MA 02144
 Post Office
 Address: Same as above

Signature  Date 11.4.99

Full Name of
 Seventh Inventor: SMITH Ken
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: USA

Residence: 17431 Fairway Oaks, Spring, TX 77379

Post Office
 Address: P.O. Box 11049, Spring, TX 77391-1049

Signature  Date _____

Full Name of
 Eighth Inventor: GUO Ting
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: CHINA

Residence: 8176 Caminito Sonoma, La Jolla, CA 92037

Post Office
 Address: Same as above

Signature  Date 11.8.99

Full Name of
 Ninth Inventor: NIKOLAEV Pavel
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: RUSSIA

Residence: 2232 1/2 Troon, Houston, TX 77019

Post Office
 Address: Same as above

Signature Andreas  Date Nov 17, 1999

Full Name of
 Tenth Inventor: THESS Andreas
 (Family Name) (First Given Name) (Second Given Name)

Citizenship: GERMANY

Residence: Max-Planck-Institut Fur Biochemie, Abteilung Molekulare,
 Strukturbioogie am Klopferspitz 189, D-82152 Martinsried, Germany

Post Office
 Address: Sames as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Richard E. Smalley et al.

For: CARBON FIBERS FORMED FROM
SINGLE-WALL CARBON
NANOTUBES

Atty Dkt: 11321-P012WOUS
(formerly 002376.0875)

Serial No: 09/380,545

Filed: September 3, 1999

Group Art Unit: 1754

Examiner: Stuart Henderson
703.308.2539

Assistant Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF MAILING (37 C.F.R. 1.8)

I hereby certify that this correspondence is being
deposited with the U.S. Postal Service as First Class Mail
in an envelope addressed to: Assistant Commissioner for
Patents, Washington, DC 20231, on the date below.

7-19-01
Date

Signature

Printed Name

SUBSTITUTE POWER OF ATTORNEY

Sir:

William Marsh Rice University, being the assignee of all right, title and interest in and to the above-identified patent application by means of an assignment recorded on December 22, 1999, on Reel 010644, Frame 0517, hereby revokes all powers of attorney previously granted with respect to the present application, and hereby appoints:

Ross S. Garsson, Reg. No. 38,150, Hugh R. Kress, Reg. No. 36,574; Robert
C. Shaddox, Reg. No. 34,011; Henry L. Ehrlich, Reg. No. 39,663; and Timothy
M. Donoughue, Reg. No. 46,668,

each an attorney with the firm of Winstead Sechrest & Minick, P.C., as its attorneys to prosecute the captioned application, and to transact all business in the Patent and Trademark Office connected therewith.

Please address all future correspondence to:

Hugh R. Kress
Winstead Sechrest & Minick, P.C.
2400 Bank One Center
910 Travis Street
Houston, Texas 77002
713.650.2714 (voice)
713.650.2400 (fax)

William Marsh Rice University

Date: 7/17/01

By: 

Daryl S. Boudreaux

Director, Office of Technology Transfer

HOUSTON_1\504473\1
07/18/2001 - 11321-P012W0US

ATTORNEY DOCKET NO.
11321-P012WOUS

PATENT
Application No. 09/380,545

-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:
Smalley et al.

Serial No.: 09/380,545

Filing Date: Dec. 22, 1999

For: **CARBON FIBERS FORMED
FROM SINGLE-WALL
CARBON NANOTUBES**

Examiner: Not Yet Assigned

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

REVOCATION AND SUBSTITUTION OF POWER OF ATTORNEY

William Marsh Rice University, the Assignee for the above-referenced patent application, pursuant to an Assignment document which was recorded in the United States Patent and Trademark Office on December 22, 1999, under Reel No. 010644 and Frame No. 0517, hereby revokes any and all prior Powers of Attorney executed in connection with the above-identified patent application, and hereby appoint:

Hugh R. Kress, Reg. 36,574
Dwayne L. Mason, Reg. No. 38,959
Robert C. Shaddox, Reg. No. 34,011

all of the firm of Winstead Sechrest & Minick, P.C., as our attorneys with full power of substitution and revocation, to prosecute said application and any continuations or divisions thereof, and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty.

**CERTIFICATE OF FACSIMILE
TRANSMISSION**

I hereby certify that this paper for Application, Registration
and/or the paper identified herein is being facsimile
transmitted to the Patent and Trademark Office fax number
indicated below on the date indicated below.

Connie Crowe
Signature
CONNIE CROWE
Printed
6-30-00
Date
703/208-7048
Fax No.

Please send all correspondence, papers and notices for all purposes to the address listed below:

Robert C. Shaddox
WINSTEAD SECHREST & MINICK, P.C.
910 Travis, Suite 2400
Houston, Texas 77002

and direct all telephone calls to Robert C. Shaddox (713) 650-2764. Please also note the attorney docket number: 11321-P012WOUS.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 6/30/00

WILLIAM MARSH RICE UNIVERSITY

By:

Joseph B Davidson

JOSEPH B DAVIDSON

Printed Name

ASSOCIATE GENERAL COUNSEL

Title

JUN-30-00 15:27 ID:7136502400

WINSTEAD SECHREST MINICK

JOB NUMBER 347
 INFORMATION CODE OK
 TELEPHONE NUMBER 917033087048
 NAME(ID NUMBER) 7033089759
 START TIME JUN-30-00 15:26
 PAGES TRANSMITTED 003 TRANSMISSION MODE EMHR
 RESOLUTION STD REDIALING TIMES 00
 SECURITY OFF MAILBOX OFF
 MACHINE ENGAGED 01'04

THIS TRANSMISSION IS COMPLETED.

LAST SUCCESSFUL PAGE 003

WINSTEAD SECHREST & MINICK
 A Professional Corporation | Attorneys & Counselors

WSM

TELECOMMUNICATION TRANSMITTAL

2400 Bank One Center
 910 Travis Street
 Houston, Texas 77002
 713/650-8400
 fax 713/650-2400

www.winstead.com

direct dial 713/713/650-2764
 rshaddox@winstead.com

PLEASE DELIVER TO THE FOLLOWING:	TELEPHONE NUMBER:	FAX NUMBER:
Patent and Trademark Office		703-308-7048

FROM: Robert C. Shaddox

The information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone, and return the original message to us at the above address via the U. S. Postal Service.

DATE: June 30, 2000 TIME IN:

NUMBER OF PAGES: 3 INCLUDING COVER SHEET. PLEASE CALL THE
 FAX OPERATOR AT 713/650-2464 AS SOON AS POSSIBLE IF YOU DO NOT RECEIVE
 THE TOTAL NUMBER OF PAGES OR IF TRANSMISSION IS NOT LEGIBLE.

ATTORNEY #: 1091 CLIENT-MATTER #: 11321-G99999

ADDITIONAL MESSAGE:

☒ ORIGINAL WILL NOT FOLLOW ☐ ORIGINAL WILL FOLLOW VIA:
☐ Regular Mail ☐ Hand Delivery
☐ Overnight Delivery ☐ Other